

(E) EFFECT OF JUDGMENT.

THE JUDGMENT IS FINAL AND CONCLUSIVE ON ALL PARTIES AND HAS THE SAME FORCE AND EFFECT AS OTHER DECREES IN EQUITY. THE JUDGMENT CONSTITUTES A LIEN ON THE ASSETS OF THE SUCCESSOR WITH PRIORITY OVER ANY MORTGAGE OR OTHER LIEN ATTACHING ON OR AFTER THE EFFECTIVE DATE OF THE CONSOLIDATION, MERGER, TRANSFER, OR CHARTER AMENDMENT.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 23, §73(f) second paragraph, (g) and (h).

For the definition of "assets," see §1-101.

[[3-211]] 3-212. SURRENDER OF STOCK.

THE SUCCESSOR IS NOT REQUIRED TO PAY FOR THE STOCK OF AN OBJECTING STOCKHOLDER OR TO PAY A JUDGMENT RENDERED AGAINST IT IN A PROCEEDING FOR AN APPRAISAL UNLESS, SIMULTANEOUSLY WITH PAYMENT:

(1) THE CERTIFICATES REPRESENTING THE STOCK ARE SURRENDERED TO IT, INDORSED IN BLANK, AND IN PROPER FORM FOR TRANSFER; OR

(2) SATISFACTORY EVIDENCE OF THE LOSS OR DESTRUCTION OF THE CERTIFICATES AND SUFFICIENT INDEMNITY BOND ARE FURNISHED.

REVISOR'S NOTE: This section presently appears as Art. 23, §73(j).

The only changes are in style.

[[3-212]] 3-213. RIGHTS OF SUCCESSOR WITH RESPECT TO STOCK.

(A) GENERAL RULE.

A SUCCESSOR WHICH ACQUIRES THE STOCK OF AN OBJECTING STOCKHOLDER MAY RECEIVE ANY DIVIDENDS OR DISTRIBUTIONS PAYABLE TO HOLDERS OF RECORD OF THAT STOCK ON A RECORD DATE AFTER THE CLOSE OF BUSINESS ON THE DAY THE STOCKHOLDERS VOTED ON THE TRANSACTION OBJECTED TO.

(B) SUCCESSOR IN TRANSFER OF ASSETS.

AFTER ACQUIRING THE STOCK OF AN OBJECTING STOCKHOLDER, A SUCCESSOR IN A TRANSFER OF ASSETS MAY EXERCISE ALL THE RIGHTS OF AN OWNER OF THE STOCK.

(C) SUCCESSOR IN CONSOLIDATION OR MERGER.